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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Lyle R. Evans d/b/a
Eagle River Television Company
1296 Marian Lane
Green Bay, WI 54304
(414) 497-9630

January 05'th, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, Northwest
Washington, D.C. 20554

ORIGINAL
COPY

RE: Petition For Rule Making
Eagle River, Wisconsin
Television Channel 34

Dear Secretary Caton:

Transmitted herewith is a signed original and five copies of a
Petition For Rule Making and related Engineering Statement.

This Petition requests amendment of 47 Code of Federal
Regulations, §73.606(b), Table of Allotments, Television
Broadcast Stations, to allot television Channel 34 to Eagle
River, Wisconsin, as that community's first local television
transmission service.

Kindly direct this correspondence for proper processing.

Sincerely,



Lyle Robert Evans,
Petitioner

LRE/hs

ENC: Petition For Rule Making and five copies.

No. of Copies rec'd
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JAN - 7 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYBEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN THE MATTER OF:) MM DOCKET NO:
AMENDMENT OF SECTION 73.606(B),) RM
TABLE OF ALLOTMENTS,)
TELEVISION BROADCAST STATIONS.)
(EAGLE RIVER, WISCONSIN)

TO: CHIEF, ALLOCATIONS BRANCH
POLICY AND RULES DIVISION
MASS MEDIA BUREAU

ORIGINAL
COPYPETITION FOR RULE MAKING

Lyle Robert Evans d/b/a Eagle River Television
Company hereby Petitions the Federal Communications
Commission in Washington, D.C., to amend the Television
Table of Allotments, Section 73.606(b) of the Commission's
Rules and Regulations in the following manner:

<u>Community:</u>	<u>Existing:</u>	<u>Proposed:</u>
Eagle River, WI	None	Channel 34

In support of this PETITION FOR RULEMAKING to
allot Television Channel 34 to Eagle River, Wisconsin, Eagle
River Television Company, the Petitioner, respectfully
submits the Engineering Statement prepared by Lyle Robert
Evans, Technical Consultant, attached hereto as Appendix 1.

Inasmuch as Eagle River, Wisconsin and vicinity
shall be provided a first local television transmission

service, significantly contributing to television program diversity available to local residents the Petitioner, Eagle River Television Company, concludes its Proposed Rule Making in the public interest.

Eagle River, Wisconsin, population 1,379 persons (per the 1990 Census), is an incorporated city. The allotment of Television Channel 34 to the City of Eagle River, Wisconsin, is in full accord with all Commission Rules, Regulations and Assignment Policy.

If the Commission goes forward to Amend 47 Code of Federal Regulations, §73.606(b), to allot Television Channel 34 to Eagle River, Wisconsin, as petitioned; Eagle River Television Company shall immediately file an Application For Construction Permit For Commercial Broadcast Station (FCC Form 301) to activate Television Channel 34, as allotted at Eagle River.

Upon grant of such a Form 301 Application by the Commission, Eagle River Television Company shall promptly construct and subsequently license the permitted facility.

In accord with 47 Code of Federal Regulations, §1.52; I, Lyle Robert Evans, hereby certify I have read this entire document, that to the best of my knowledge, information and belief it is true and correct, that there is good ground to support it, and that it is not interposed for delay.

Respectfully submitted,

EAGLE RIVER TELEVISION COMPANY

January 05, 1994

A handwritten signature in cursive script, reading "Lyle R. Evans", is written over a horizontal line.

Lyle Robert Evans, Sole Proprietor

Lyle Robert Evans d/b/a
Eagle River Television Company
1296 Marian Lane
Green Bay, Wisconsin 54304
(414) 494-6310

PETITION FOR RULE MAKING; CONCLUDED

APPENDIX 1

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

ENGINEERING STATEMENT

IN THE MATTER OF:) MM DOCKET NO:
AMENDMENT OF SECTION 73.606(B),) RM
TABLE OF ALLOTMENTS,)
TELEVISION BROADCAST STATIONS,)
(EAGLE RIVER, WISCONSIN)

TO: CHIEF, ALLOCATIONS BRANCH
POLICY AND RULES DIVISION
MASS MEDIA BUREAU

PREPARED FOR:
EAGLE RIVER TELEVISION COMPANY
JANUARY 04, 1994

PREPARED BY:
LYLE ROBERT EVANS
TECHNICAL CONSULTANT
1391 NORTH ROAD
GREEN BAY, WISCONSIN 54313
(414) 494-2626

PETITIONER: Eagle River Television Co.
Proposed New TV Allotment
Channel 34; Eagle River, WI

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Prepared 01/04/94

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4. ATTACHMENT E-B; TELEVISION CHANNEL 34 DISTANCE SEPARATION STUDY

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STATE OF WISCONSIN)

COUNTY OF BROWN)

CITY OF GREEN BAY)

LYLE ROBERT EVANS, BEING FIRST DULY SWORN STATES:

THAT HE IS A ELECTRONIC COMMUNICATIONS TECHNICAL CONSULTANT
WITH OFFICES AT 1391 NORTH ROAD, GREEN BAY, WISCONSIN,
54313.

THAT HIS QUALIFICATIONS AS AN EXPERT IN COMMUNICATIONS
ENGINEERING ARE A MATTER OF RECORD BEFORE THE FEDERAL
COMMUNICATIONS COMMISSION IN WASHINGTON, D.C.

THAT HE HAS PREPARED NUMEROUS AM, FM, MICROWAVE RADIO,
TELEVISION, TRANSLATOR AND OTHER APPLICATIONS WHICH HAVE
BEEN PROCESSED TO GRANT BY THE FEDERAL COMMUNICATIONS
COMMISSION.

THAT THE FOREGOING TECHNICAL REPORT WAS PREPARED BY HIM, AND
ALL CALCULATIONS AND/OR MEASUREMENTS AND EXHIBITS IN THE
ACCOMPANYING REPORT WERE MADE BY HIM PERSONALLY OR UNDER HIS
DIRECTION, AND THAT ALL FACTS CONTAINED HEREIN ARE TRUE OF
HIS PERSONAL KNOWLEDGE OR BELIEF, AND ON SUCH STATEMENTS
MADE ON BELIEF, THEY ARE BELIEVED TO BE TRUE AND CORRECT.



LYLE ROBERT EVANS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 04'TH DAY OF
JANUARY, 1994.



NOTARY PUBLIC

DATE OF COMMISSION EXPIRATION: 6.22.97

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN THE MATTER OF:) MM DOCKET NO:
AMENDMENT OF SECTION 73.606(B),) RM
TABLE OF ALLOTMENTS,)
TELEVISION BROADCAST STATIONS.)
(EAGLE RIVER, WISCONSIN)
TO: CHIEF, ALLOCATIONS BRANCH
POLICY AND RULES DIVISION
MASS MEDIA BUREAU

ENGINEERING STATEMENT

This Engineering Statement concerns the above captioned Petition For Rulemaking, to which this Statement is Appendix 1.

The Eagle River Television Company, Petitioner, retained the services of Lyle Robert Evans, broadcast consultant, to conduct engineering studies and prepare necessary Statements and Attachments to support the Petition of Eagle River Television Company to amend 47 Code of Federal Regulations, §73.606(b), Table of Allotment, Television Broadcast Stations, to allot television Channel 34 to the City of Eagle River, Wisconsin, as that community's first television transmission service.

The City of Eagle River geographic Reference Coordinates, specified in the National Atlas of the United States of America, published by the United States Department

of the Interior Geological Survey, are: 45°-55'-00" North Latitude, 89°-14'-42" West Longitude.

The allotment of television Channel 34 to Eagle River, Wisconsin, does not fall under any restrictions defined in FCC Public Notice Number 20922, released December 09, 1991.

Attachment E-A to this Statement sets forth by display the five closest major cities defined in Public Notice Number 20922, with their reference coordinates and required co-channel separation distance with distance and bearing from the Reference Coordinates of the City of Eagle River, Wisconsin.

Attachment E-A evidences allotment of television Channel 34 to Eagle River, Wisconsin, in full accord with current Commission policy. In fact, the actual distance between Eagle River, Wisconsin and Saint Paul, Minnesota, the nearest city defined in Public Notice Number 20922, is far greater than the required co-channel distance separation.

An allotment of television Channel 34 to Eagle River, Wisconsin, is in complete compliance all applicable minimum distance separation requirements set forth in 47 Code of Federal Regulations, §73.610.

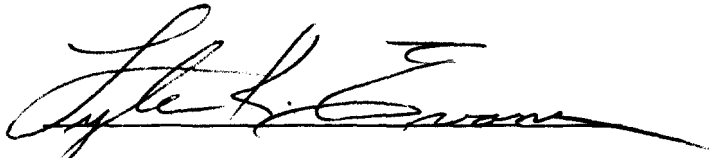
Attachment E-B to this Statement is a Television Channel 34 Distance Separation Study with the City of Eagle

River, Wisconsin, Reference Coordinates as base.

A review of Attachment E-B evidences allotment of television Channel 34 at the City of Eagle River, Wisconsin, Reference Coordinates if complete accord with all applicable FCC Rules and Regulations.

A grant of the Petition of which this Statement is Appendix 1, shall provide residents of Eagle River, Wisconsin and vicinity, a first local television transmission service fully consistent with all applicable Commission Rules and Regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lyle Robert Evans", written over a horizontal line.

Lyle Robert Evans,
Technical Consultant to:
Eagle River Television Company

January 04, 1994

ENGINEERING STATEMENT; CONCLUDED.

TELEVISION CHANNEL 34 DISTANCE SEPARATION STUDY

LOCATION: EAGLE RIVER, WISCONSIN
SERVICE: COMMERCIAL TELEVISION
CHANNEL: 34
FREQUENCY: 590-596 MEGAHERTZ
ZONE: II
CLASS: FULL POWER
COORDINATES: 45°-55'-00" N.L., 89°-14'-42" W.L. (CITY REFERENCE COORDINATES)
PETITIONER: EAGLE RIVER TELEVISION COMPANY
DATE: JANUARY 2, 1993

CITY STATE	CHAN ZONE	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
SAINT PAUL MINNESOTA	II	44-56-50 93-05-11	250.3	319.1 38.3	280.8 CLEAR
MINNEAPOLIS MINNESOTA	II	44-58-57 93-15-43	251.7	330.7 49.9	280.8 CLEAR
MILWAUKEE WISCONSIN	I	43-02-19 87-54-15	161.6	337.0 88.4	248.6 CLEAR
CHICAGO ILLINOIS	I	41-52-28 87-38-22	164.0	467.2 281.6	248.6 CLEAR
DETROIT MICHIGAN	I	42-19-48 83-02-57	128.8	635.9 387.3	248.6 CLEAR

ATTACHMENT E-A; THIS PAGE INTENTIONALLY BLANK.

TELEVISION CHANNEL 34 DISTANCE SEPARATION STUDY

LOCATION: EAGLE RIVER, WISCONSIN
 SERVICE: COMMERCIAL TELEVISION
 CHANNEL: 34
 FREQUENCY: 590-596 MEGAHERTZ
 ZONE: II
 CLASS: FULL POWER
 COORDINATES: 45°-55'-00" N.L., 89°-14'-42" W.L. (CITY REFERENCE COORDINATES)
 PETITIONER: EAGLE RIVER TELEVISION COMPANY
 DATE: JANUARY 2, 1993

CALL STATUS	CITY STATE	FCC FILE	CHAN ZONE	ERP(KW) HAAT(M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WJMY CP	MARQUETTE MI	BPCT-870331LY	19 (0) II	1000.00 317.00	46-21-56 87-49-34	65.5	120.37 0.47	119.9 CLEAR
WHRM-TV LIC	WAUSAU WI	BLET-391	*20 (+) II	776.00 299.00	44-55-14 89-41-31	197.5	116.07 20.37	95.70 CLEAR
WHRM-TV CP	WAUSAU WI	BPET-890105KE	*20 (+) II	1450.00 300.00	44-55-14 89-41-31	197.5	116.07 20.37	95.70 CLEAR
WHRM-TV APP	WAUSAU WI	BMPET-910812KE	*20 (+) II	1450.00 300.00	44-55-14 89-41-31	197.5	116.07 20.37	95.70 CLEAR
WGBA LIC	GREEN BAY WI	BLCT-841018KK	26 (+) II	2150.00 360.00	44-21-30 87-58-48	150.1	199.66 168.26	31.40 CLEAR
WKOW LIC	MADISON WI	BLCT-2219	27 (+) I	1000.00 381.00	43-03-09 89-28-42	183.3	318.73 223.03	95.70 CLEAR
NEW APP	MADISON WI	BPCT-921103KG	27 (+) I	1320.00 456.00	43-03-21 89-32-06	184.1	318.66 222.96	95.70 CLEAR
WGTU CP	TRAVERSE CITY MI	BPCT-901206KE	29 (+) II	2000.00 399.00	44-44-54 85-04-08	111.6	351.93 320.53	31.40 CLEAR
VACANT LIC	THUNDER BAY ON		30 (-) II		48-23-00 89-15-00	359.9	274.16 242.76	31.40 CLEAR
WHLA-TV LIC	LA CROSSE WI	BMLET-920429KF	31 (0) II	1170.00 347.00	43-48-17 87-42-52	152.7	263.95 232.55	31.40 CLEAR

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TELEVISION CHANNEL 34 DISTANCE SEPARATION STUDY

LOCATION: EAGLE RIVER, WISCONSIN
 SERVICE: COMMERCIAL TELEVISION
 CHANNEL: 34
 FREQUENCY: 590-596 MEGAHERTZ
 ZONE: II
 CLASS: FULL POWER
 COORDINATES: 45°-55'-00" N.L., 89°-14'-42" W.L. (CITY REFERENCE COORDINATES)
 PETITIONER: EAGLE RIVER TELEVISION COMPANY
 DATE: JANUARY 2, 1993

CALL STATUS	CITY STATE	FCC FILE	CHAN ZONE	ERP(KW) HAAT(M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WXGZ-TV LIC	APPLETON WI	BPCT-840322KE	32 (+) II	1070.00 363.00	44-21-32 87-58-58	150.2	199.50 168.10	31.40 CLEAR
WXGZ-TV APPL	APPLETON WI	BPCT-931012KE	32 (+) II	1050.00 336.00	44-21-30 87-58-48	150.1	199.66 168.26	31.40 CLEAR
VACANT ALLOT	WAUSAU WI		33 (-) II		44-57-30 89-37-40	195.7	110.61 22.91	87.70 CLEAR
WNIT-TV CP	SOUTH BEND IN	BLET-910307KE	*34 (-) I	1380.00 246.00	41-36-59 86-11-43	152.0	537.03 288.43	248.6 CLEAR
VACANT ALLOT	WINONA MN		*35 (+) II		44-03-13 91-38-18	222.3	280.04 192.34	87.70 CLEAR
WELF-TV CP	PARK FALLS WI	BPET-920221KE	*36 (+) II	1050.00 445.00	45-56-43 90-16-28	272.3	79.84 48.44	31.40 CLEAR
VACANT ALLOT	CIUDAD GUERRERO TA		37 (0) II		26-46-45 99-20-22	203.1	2308.37 2276.97	31.40 CLEAR
WPNE LIC	GREEN BAY WI	BMLET-920510KF	*38 (0) II	1070.00 360.00	44-24-36 88-00-05	149.7	193.83 162.43	31.40 CLEAR
VACANT ALLOT	MARSHFIELD WI		39 (-) II		44-39-09 90-10-24	207.4	158.20 126.80	31.40 CLEAR
VACANT LIC	THUNDER BAY ON		41 (-) II		48-23-00 89-15-00	359.9	274.16 178.46	95.70 CLEAR

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TELEVISION CHANNEL 34 DISTANCE SEPARATION STUDY

LOCATION: EAGLE RIVER, WISCONSIN
 SERVICE: COMMERCIAL TELEVISION
 CHANNEL: 34
 FREQUENCY: 590-596 MEGAHERTZ
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 DATE: JANUARY 2, 1993

CALL STATUS	CITY STATE	FCC FILE	CHAN ZONE	ERP(KW) HAAT(M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
VACANT ALLOT	STURGEON BAY WI		42 (0) II		44-50-18 87-22-48	129.4	188.85 157.45	31.40 CLEAR
WEUX CP	CHIPPEWA FALLS WI	BMPCT-931012KF	48 (0) II	70.80 149.00	44-53-04 91-35-04	237.9	215.99 120.29	95.70 CLEAR
WJJA LIC	RACINE WI	BLCT-900518KP	49 (+) I	2690.00 143.00	42-51-18 87-50-41	161.8	357.94 238.04	119.9 CLEAR

----- END TV CHANNEL 34 STUDY -----

ATTACHMENT E-B; CONCLUDED